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10/792,057	03/03/2004	Hiroshi Yamauchi	450100-04962	4746

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		10/792,057	YAMAUCHI ET AL.
		Examiner	Art Unit	
		ASHER KHAN	2621	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 September 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed on September 25, 2009 have been fully considered but they are not persuasive.

In re page 13 line 1 to page 19 line 21, applicants argue that Frink, Nerwin v. Erlichman 168 USPQ 177 and Kim do not disclose **video data for one frame, are transferred, in each time period for one frame, in parallel from the computer to a first PCI card and a second PCI card, respectively.**

In response the examiner respectfully disagrees. Frink discloses **video data for one frame, are transferred, in each time period for one frame (while disk buffer 114 receives a single frame, Col. 5, lines 13-15), in parallel (concurrently for real time DVEs, Col. 6 lines 42-43) from the computer (Col. 6, line 57) to the first decoder and the second decoder, respectively** (Fig. 1e which is a modification of Fig. 1a disk buffer 114 and a second codec 116 enables playing of multiple video streams concurrently for real time digital video effects (DVEs) and allow the DVE operations to be visualized in real time, Col. 6, lines 40-61, fig. 1E; while disk buffer 114 receives a single frame, Col. 5, lines 13-15**).**

Frink does not expressly disclose wherein the edit processing means and first decoder are contained on **a first PCI card**, and the second decoder is contained on a separate **second PCI card**, the first PCI card being directly connected to the second PCI card.

It would have been obvious to one of ordinary skill in art, in view of Nerwin

v. Erlichman 168 USPQ 177, to make separable single element such as the system of

edit processing means disclosed in figure 5 of Frink into separable elements disclosed

by the limitation "the edit processing means and first decoder are contained on **a first**

PCI card, and the second decoder is contained on a separate **second PCI card**, the

first PCI card being directly connected to the second PCI card".

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   **Claim 1-5, 7-12, 14-19 and 21 are rejected under 35 U.S.C. 103(a) as being**

anticipated by U.S. Patent No. 6,226,038 B1 to *Frink et al. ("Frink")* **in view of**

Nerwin v. Erlichman 168 USPQ 177.

As to claims 1, 8 and 15, Frink discloses an editing apparatus for a high-

definition television signal, the editing apparatus (Col. 10, lines 22-23) comprising:

a computer for transferring compressed first high- definition television

video data and compressed second high- definition television video data (Abstract, fig.

5); and

an editing device that includes a first decoder (Fig. 5, HD code 516) and a second decoder (Fig. 5, HD code 516) which decompress the compressed first and second high-definition television video data, respectively, and edit processing means for performing edit processing on the decompressed first high-definition television video data and the decompressed second high-definition television video data (Fig. 5, HD DVE 554, HDTV video data router 520), a result of edit processing performed by the edit processing means being output, wherein the compressed first high-definition television video data and the compressed second high-definition television video data for one frame, are transferred, in each time period for one frame, in parallel from the computer to the first decoder and the second decoder, respectively (Col. 6, lines 40-61, fig. 1E).

Frink does not expressly disclose wherein the edit processing means and first decoder are contained on a first PCI card, and the second decoder is contained on a separate second PCI card, the first PCI card being directly connected to the second PCI card.

It would have been obvious to one of ordinary skill in art, in view of Nerwin v. Erlichman 168 USPQ 177, to make separable single element such as the system of edit processing means disclosed in figure 5 of Frink into separable elements disclosed by the limitation "the edit processing means and first decoder are contained on a first PCI card, and the second decoder is contained on a separate second PCI card, the first PCI card being directly connected to the second PCI card".

Frink discloses wherein the PCI cards having PCI connectors for connecting with a mother board of the computer by the PCI connectors, and are installed in PCI slots of the computer (Fig. 5, PCI bus 5, which specifies a computer bus for attaching peripheral devices such as PCI cards to a computer mother board having PCI slots. Thus in this case HD video system 504 i.e. PCI card attached or connected to a computer mother board through a PCI connectors connecting to a PCI bus having PCI slots).

As to claim 2, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses wherein the edit processing means comprises an effector for applying a special effect (Col. 10, lines 24-30) to the high-definition television video data decompressed by the first decoder (Fig. 5, HD DVE 554), and combining means for combining the high-definition television video data to which the special effect is applied by the effector and the high-definition television video data decompressed by the second decoder (Fig. 5, HDTV video data router 520).

As to claim 3, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses an output connector for high-definition television data, wherein the result of edit processing performed by the edit processing means is output from the output connector (Fig. 5, HDTV video I/O 540).

As to claim 4, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses an encoder (Fig. 5, HD codec 516) for compressing the high-definition television video data on which the edit processing is

performed by the edit processing mean, wherein the high- definition television video data compressed by the encoder is transferred to the computer (Col. 8, lines 1-6).

As to claim 5, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses converting means for converting the high-definition television video data on which the edit processing is performed by the edit processing means into standard-definition television video data (Fig. 5, resizer 524), wherein the standard-definition television video data converted by the converting means is transferred to the computer (Col. 5, lines 55-60; Fig. 5, SDTV frame buffer 526; display 538).

As to claim 7, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses wherein the editing device comprises at least one peripheral component interconnect card (Fig. 1, HD video system 104).

As to claim 9, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses wherein the edit processing means comprises an effector (Fig. 5, HD DVE 554) for applying a special effect to the high-definition television video data decompressed by the first decoder, and combining means for combining the high-definition television video data to which the special effect is applied by the effector and the high-definition television video data decompressed by the second decoder (Fig. 5, HDTV video data router 520).

As to claim 10, Frink as modified discloses everything claimed as applied in claim 1 above. Frink wherein the editing device further comprises an output connector for high-definition television data, the result of edit processing performed by the edit

processing means being output from the output connector (Fig. 5, HDTV video I/O 540).

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As to claim 11, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses wherein the editing device further comprises an encoder (Fig. 5, HD codec 516) for compressing the high-definition television video data on which the edit processing is performed by the edit processing mean, the high-definition television video data compressed by the encoder being transferred to the computer (Col. 8, lines 1-6).

As to claim 12, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses wherein the editing device further comprises converting means (Fig. 5, resizer 524) for converting the high-definition television video data on which the edit processing is performed by the edit processing means into standard-definition television video data, the standard-definition television video data converted by the converting means being transferred to the computer (Col. 5, lines 55-60; Fig. 5, SDTV frame buffer 526; display 538).

As to claim 14, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses wherein the editing device comprises at least one peripheral component interconnect card (Fig. 1, HD video system 104).

As to claim 16, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses wherein, in the editing step, a special effect is applied to the first high-definition television video data (Fig. 5, HD DVE 554), and the first high-definition television video data to which the special effect is applied and the

second high-definition television video data are combined (Fig. 5, HDTV video data
router 520).

As to claim 17, Frink as modified discloses everything claimed as applied
in claim 1 above. Frink further discloses wherein, in the outputting step, the result of edit
processing performed in the editing step is output from a high- definition television
signal output-connector provided at the editing device (Fig. 5, HDTV video I/O 540).

As to claim 18, Frink as modified discloses everything claimed as applied
in claim 1 above. Frink further discloses a compressing step of compressing (Fig. 5, HD
codec 516), in the editing device, the high-definition television video data on which the
edit processing is performed in the editing step (Fig. 5, HD video system 504), wherein,
in the outputting step, the high-definition television video data compressed in the
compressing step is transferred to the computer (col. 8, lines 1-6).

As to claim 19, Frink as modified discloses everything claimed as applied
in claim 1 above. Frink further discloses a converting step of converting, in the editing
device, the high-definition television video data on which the edit processing is
performed in the editing step into standard-definition television video data (Fig. 5,
resizer 524), wherein, in the outputting step, the standard-definition television video data
converted in the converting step is transferred to the computer (col. 5, lines 55-60; Fig.
5, SDTV frame buffer 526; display 538).

As to claim 21, Frink as modified discloses everything claimed as applied
in claim 1 above. Frink further discloses wherein the editing device comprises at least
one peripheral component interconnect card (Fig. 1, HD video system 104).

3.   Claims 6, 13 and 20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent No. 6,226,038 B1 to Frink et al. ("Frink") *")* in view

of Nerwin v. Erlichman 168 USPQ 177 and in further view of U.S. Patent

Application Pub. 2002/0168036 A1 to Kim.

As to claim 6, Frink as modified discloses everything claimed as applied in

claim 1 above. Frink further discloses an input connector for uncompressed high-

definition television data (Fig. 5, PCI 144).

Frink as modified does not expressly disclose selecting means but Kim

discloses selecting means (Fig. 1, display processor 122) for selecting one of high-

definition television video data input from the input connector and the high-definition

television video data decompressed by the first decoder and for supplying the selected

high-definition television data to the edit processing means, wherein the edit processing

means performs edit processing on the high-definition television video data selected by

the selecting means and the high- definition television video data decompressed by the

second decoder (Frink, Fig. 5, HD video system 504).

At the time of invention, it would have been obvious to a person of

ordinary skill in the art to combine Frink as modified with the teachings of Kim.

Motivation to combine would have been to use the Kim's selecting means (Fig. 1,

display processor 122) in Frink's HD video system to process the selected signal (0019)

for editing purposes.

As to claim 13, Frink as modified discloses everything claimed as applied in claim 1 above. Frink further discloses an input connector for uncompressed high-definition television data (Fig. 5, PCI 144).

Frink as modified does not expressly disclose selecting means but kim discloses selecting means (Fig. 1, display processor 122) for selecting one of high-definition television data input from the input connector and the high- definition television video data decompressed by the first decoder and for supplying the selected high-definition television data to the edit processing means, and wherein the edit processing means performs edit processing on the high-definition television video data selected by the selecting means and the high-definition television video data decompressed by the second decoder (Frink, Fig. 5, HD video system 504).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Frink as modified with the teachings of Kim. Motivation to combine would have been to use the Kim's selecting means (Fig. 1, display processor 122) in Frink's HD video system to process the selected signal (0019) for editing purposes.

As to claim 20, Frink as modified discloses everything claimed as applied in claim 1 above. Kim further discloses a selecting step of selecting (Fig. 1, display processor 122), in the editing device, one of high-definition television video data input from an uncompressed high-definition television data input- connector provided at the editing device and the first high- definition television video data decompressed in the decompressing step, wherein, in the editing step, the high- definition television video

data selected in the selecting step and the second high-definition television video data

are subjected to edit processing (Frink, Fig. 5, HD video system 504).

At the time of invention, it would have been obvious to a person of

ordinary skill in the art to combine Frink as modified with the teachings of Kim.

Motivation to combine would have been to use the Kim's selecting means (Fig. 1,

display processor 122) in Frink's HD video system to process the selected signal (0019)

for editing purposes.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ASHER KHAN whose telephone number is (571)270-

5203. The examiner can normally be reached on 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Marsha Banks-Harold can be reached on (571)272-7905. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621

/A. K./
Examiner, Art Unit 2621